

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MG STAR LLC,

Plaintiff,

v.

AMGUARD INSURANCE COMPANY,
et al.,

Defendant.

Case No. 1:23-cv-00560-JLT-EPG

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(Docs. 6, 11, 20.)

Defendants removed this action to this court on April 10, 2023 (Doc. 1) and filed a motion to have their notice of removal deemed filed on March 29, 2023. (Doc. 6.) Plaintiff opposed the request for administrative relief and filed a motion to remand on the ground that the notice of removal was untimely. (Docs. 10, 11.)

The assigned magistrate judge entered findings and recommendations, recommending that the motion to deem the notice of removal as timely be denied and that Plaintiff's motion for remand be granted. The Court provided the parties an opportunity to file objections to the findings and recommendations. Defendant filed timely objections. (Doc. 22.) Plaintiff replied. (Doc. 23.)

According to 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings

1 and recommendations to be supported by the record and proper analysis. The objections
2 essentially reiterate arguments that were correctly addressed and analyzed by the magistrate
3 judge. Thus, the Court **ORDERS**:

- 4 1. The findings and recommendations issued July 12, 2023, are **ADOPTED IN**
5 **FULL**.
- 6 2. Defendant's motion for administrative relief is **DENIED**.
- 7 3. Plaintiff's motion for remand is **GRANTED**.
- 8 4. The Clerk of Court is directed to take the appropriate action to remand this case to
9 Fresno Superior Court and close this case.

10 IT IS SO ORDERED.

11 Dated: **August 23, 2023**

12 
UNITED STATES DISTRICT JUDGE